

The opinion in support of the decision being entered today was not written for publication is not binding precedent of the Board.

Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEVIN WEADOCK et al.

Appeal No. 2002-1007
Application 09/391,762

MAILED

MAY 20 2002

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

ORDER REMANDING TO EXAMINER

Applicants filed a Reply Brief on July 16, 2002 (Paper No. 17). According to § 1208 of the Manual of Patent Examining Procedure (MPEP) (7th ed., rev. 1, Feb. 2000), "appellant(s) may file a Reply Brief to the Examiner's Answer within two months from the mailing date of such Examiner's Answer. The examiner

must then (1) either acknowledge receipt and entry of the Reply Brief or (2) withdraw the final rejection and reopen prosecution to respond to the Reply Brief." See also 37 CFR § 1.193.

Accordingly, it is

ORDERED that the application is remanded to the examiner to acknowledge receipt and entry of applicants' Reply Brief filed July 16, 2002 (Paper No. 17), or to reopen prosecution to respond to the Reply Brief, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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